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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/888,355 | 06/22/2001 | Anne T. Donelan | IDE-1 | 8908 |
| 7590 10/04/2005 | | | EXAMINER | |
| Pandiscio & Pandiscio 470 Totten Pond Road Waltham, MA 02451-1914 | | | STEVENS, THOMAS H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2123 | |

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/888,355

Applicant(s)

DONELAN ET AL.

Examiner

Thomas H. Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claim 1 was cancelled.
2. Claims 2-7 were examined.

Section I Non-Final Rejection (2nd Office Action)

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 2-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Du et al. (U.S. Patent 6,308,163 (2001)); (hereafter Du). Du discloses a method and system for providing resource management in workflow processing of an enterprise (abstract).

Claim 2. A method for assigning resource capacity to projects, said method comprising: directing a list of request (column 7, lines 35-41)s for resources issued by project team to at least one appropriate resource group manager based upon resource configuration (column 4, lines 32-37); analysis (column 10, lines 52-66) of said list of request (column 7, lines 35-41)s by said at least one resource group manager to make a determination as to the capacity for assigning the request (column 7, lines 35-41)ed resources to said project (column 10, lines 1-10); and assigning capacity to said project based on a pro

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rata basis, (column 5 ,lines 35-44) according to the number of request (column 7, lines 35-41) and the unused capacity of each resource group.

Claim 3. A method for assigning resource capacity to projects, (column 10, lines 1-10) said method comprising: directing a list of request (column 7, lines 35-41)s for resources issued by a project team to at least one appropriate resource group manager based upon resource configuration; analysis (column 10, lines 52-66) of said list of requests (column 7, lines 35-41) by said at least one resource group manager to make a determination as to the capacity for assigning the requested (column 7, lines 35-41) resources to said project; directing said determination made by said at lest one resource group manager to a portfolio manager for approval, disapproval or modification; and assigning capacity to said project based on said approval, disapproval or modification made by said portfolio manager.

Claim 4. A method for assigning resource capacity to projects, said method comprising: directing a list of request (column 7, lines 35-41) for resources issued by a project team to at least one appropriate resource group manager based upon resource configuration; analysis (column 10, lines 52-66) of said list of requests (column 7, lines 35-41) by said at least one resource group manager to make a determination as to the capacity for assigning the requested (column 7, lines 35-41) resources to said project; transmitting (column 3, lines 55-61) a tentatively assigned capacity to said project team based on said determination made by said at least one resource manager; and confirming said

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tentatively assigned capacity after a portfolio manager approves (column 9, lines 45-55) said determination made by said at least one resource manager.

Claim 5. A computer program product embodied on a computer-readable medium and comprising code that, when executed, (column 15, lines 15-50) causes the computer to perform the following: a determination of resource capacity for each resource group; a determination of resource assignment for each project; an analysis (column 10, lines 52-66) of said determined resource group capacity and said determined project assignment with one another; and a generation of a report (column 16, lines 9-14) illustrating the same.

Claim 6. A computer program product embodied on a computer-readable medium and comprising code (column 15, lines 15-50) that, when executed, causes the computer to perform the following: a review of data items contained in a schedule for enterprise management, said data items including current plan information, goal information (column 20, lines 20-23) and actual information; continuous adjustments (column 7, lines 33-56) of said current plan information and said actual information on a continuous basis, and adjustments (column 7, lines 33-56) of said goal information on a given periodic basis; a comparison of said current plan information, said actual information, and said goal information to one another as determined by said continuous adjustments and said periodic adjustments (column 7, lines 33-56); and a notification of a variance of

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said current plan information said actual information, and said goal information (column 20, lines 20-23) to one another as determined by said comparison.

Claim 7. A computer program product embodied on a computer-readable medium and comprising code that, when executed, (column 15, lines 15-50) causes the computer to perform the following: an association of at least two portfolios with one another to create a superportfolio inheriting tracking (column 7, lines 33-41) criteria from each of said at least two portfolios; an imposition of said inherited tracking (column 7, lines 33-41) criteria from said superportfolio on said association of said at least two portfolios creating said superportfolio (equivocate portfolio to document; superportfolio as a "hierarchy of portfolios" (specification 3rd paragraph; thus examiner contents superportfolio as a hierarchy of documents from a hierarchy of personnel: abstract with columns 17 and 18, lines 51-60 and 7-15, respectively); and an imposition of said inherited tracking (column 7, lines 33-41) on projects subordinate to each of said at least two portfolios of said association.

Section II: Response to Applicants' Arguments (1st 2nd Office Action)

112 1st/ 102

5. Applicants are thanked for addressing this issue. 112 rejections are withdrawn. 102 rejections are withdrawn; however, an updated searched discovered new prior art based on amendment.


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Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715, Monday-Friday (8:00 am- 4:30 pm) or contact Supervisor Mr. Leo Picard at (571) 272-3749. Central Fax number is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

September 28, 2005


Paul L. Rodriguez 9/29/05
Primary Examiner
Art Unit 2125

THS